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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/478,861	01/07/2000	YIN-CHUN HUANG	JCLA5433	2276

7590 11/08/2002  
J C PATENTS INC  
4 VENTURE  
SUITE 250  
IRVINE, CA 92618

EXAMINER

MAI, RIJUE

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 11/08/2002

#5

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/478,861

Applicant(s)  
Huang et al.

Examiner  
Rijue Mai

Art Unit  
2182



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Aug 26, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## **DETAILED ACTION**

### **Response to Amendment**

1. This action is responsive to the Amendment filed on Aug. 26, 2002.

### **Status of the Claims**

2. Of the original claims 1-14. Claims 1 and 8 have been amended. Claims 1-14 are under prosecution in this application.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima et al. US pat. 5532841(hereinafter Nakajima) in view of Baumann US pat. 6104922.

As per claims 1 and 8, Nakajima teaches a method of reporting an end of a scanning session to a user ( see col 11, lines 5-7), comprising the steps of: selecting a peripheral device (100a or 100b) for reporting the end of a scanning session ( see col 11, lines 7-10, 32-44, Fig 12); “sending signal” through the selected peripheral device after a series of scanning tasks has ended ( see col 11, lines 50-61).

As per claim 8, Nakajima further teaches using a computer to detect how many peripheral devices ( 100 and 200) are available for reporting the end of a scanning session ( see col 12, lines 63-67); performing all scanning tasks in a scanning session ( see col 11, lines 1-10); determining if a scanning operation is waiting, wherein if a scanning operation is waiting, the method jumps to the step of selecting the peripheral device ( see col 14, lines 29-46, and if no scanning operation is waiting, the scanning operation is terminated ( see col 17, lines 38-43, 62-65).

As per claims 1 and 8, Nakajima does not specifically state that “notifying the user” as claimed.

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Baumann teaches a user authentication in a communication system utilizing biometric information, wherein user notifier 365 notifies the user when the retinal scan is complete ( see col 6, lines 61-63).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to allow Nakajima's system to make use of Baumann's teachings and determine the need for notifying the user so that the user can control responsively to the computer or any peripheral device accordingly, because it prevents the scanner actively connected to the system for a long time when the scanning job is completed, thereby reducing the system idle time. Furthermore, it also prevents the user from being kept waiting for the scanning to finish. This would have been obvious because Nakajima and Baumann are both directed toward scanning process. Accordingly, one of ordinary skill in the art would have recognized these similarities and concluded that they are from the same field of endeavor. Nakajima's system also suggest that "the main control unit transmits the status request signal to the image reading unit", and one of ordinary skill in the art would have recognized this, and been motivated to ensure a large flexibility to enable interpolation in which the proper communication maintained, and give computer users the capability to optionally select the next job immediately, thus the system can be more easily cope with changes in user request. This procedure provides a precise data processing function that can be discretely adjusted to greatly reduce the amount of processing timing in the computer system.

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Referring to claims 2-7, 9-14, Nakajima further teaches wherein the peripheral device includes a sound card capable of emitting sound, a loudspeaker installed inside a computer, a network card capable of transmitting electronic mail to a mail box of the user, a digital data recorder capable of dialing a telephone number, a page number, a mobile telephone number ( these limitations are a matter of design choices, and also see col 7, lines 6-10, col 8, lines 55-59).

5. Applicants' argument filed August 26, 2002 have been fully considered, but they are not persuasive.

6. Applicant's argument are primarily directed to the contention that the cited reference O'Dowd does not suggest or teach the limitation wherein system will choice a proper device (peripheral) to " inform the user". In response, the examiner has cited Nakajima reference which teaches "the controller 150 controls the parts 151-154 of the image reading unit 100 ... , while outputting and displaying the instructing information and state information of the facsimile system to the **operator** through an LCD of the operating panel 156" ( see col 7, lines 3-10, Figs 5 & 6)). Nakajima's system also suggest that " the main control unit transmits the status request signal to the image reading unit" , and one of ordinary skill in the art would have recognized this, and been motivated to ensure a large flexibility to enable interpolation in which the proper communication maintained, and give computer users the capability to optionally select the next

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job immediately, thus the system can be more easily cope with changes in user request. This procedure provides a precise data processing function that can be discretely adjusted to greatly reduce the amount of processing timing in the computer system. Furthermore, Baumann reference also points out that a user authentication in a communication system utilizing biometric information, wherein user notifier 365 notifies the user when the retinal scan is complete ( see col 6, lines 61-63) . Therefore, Nakajima in view of Baumann includes the limitation selecting proper device (peripheral) to “ inform the user” as claimed .

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Rijue Mai** whose telephone number is (703) 308-7098

The examiner can normally be reached on Monday-Thursday from 7:00 AM to 4:30 PM, and alternate Friday Eastern Time. The examiner can also be E-mailed at **Mai.Rijue@uspto.gov**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeffrey Gaffin, can be reached on (703) 308-3301.

10. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**Any response to this action should be mailed to:**

Assistant Commissioner for Patents

Washington, D.C. 20231

**Or faxed to:**

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(703) 746-7239, (for formal communications intended for entry)

**Or:**

(703) 746-7240, (for informal or draft communications, please label

“PROPOSED” or “DRAFT”)

EXAMINER

  
JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

Rijue Mai

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November 5, 2002